

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TIG INSURANCE COMPANY,
as successor-in-interest to
TRANSAMERICA INSURANCE
COMPANY

Plaintiff,

v.

C.A. No. 04-12729-MLW

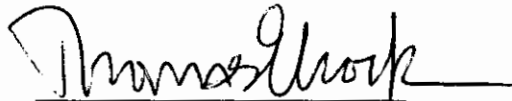
FIRST STATE INSURANCE COMPANY,
Defendant.

**ASSENTED TO MOTION TO CONTINUE THE
SCHEDULING CONFERENCE/MOTION HEARING**

The court has set this matter down for a Scheduling Conference and Motion Hearing on August 25, 2005. First State Insurance Company moves to reschedule this conference because its counsel Lloyd Gura, Esq. of Mound, Cotton, Wollan & Greengrass has a previously planned vacation for the week of August 22 through 25, 2005. TIG Insurance Company has been consulted and assents to this motion. The parties are available on Thursday, September 1, 2005 if this date is convenient for the court.

First State Insurance Company

By its attorneys,



Thomas M. Elcock, Esq. (BBO#548027)
Prince, Lobel, Glovsky & Tye LLP
585 Commercial Street
Boston, Massachusetts 02109
(617) 456-8000

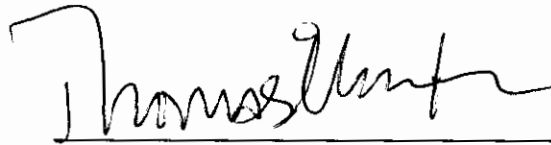
-and-

Lloyd Gura, Esq.
Mound, Cotton, Wollan & Greengrass
One Battery Park Plaza
New York, NY 10004
(212) 804-4200

Dated: August 3, 2005

CERTIFICATE OF SERVICE

I, Thomas M. Elcock, hereby certify that I have served a copy of the foregoing, this date, August 3, 2005 to Michael K. Robles, Esq., Cadwalader, Wickersham & Taft, One World Financial Center, New York, NY 10281.

A handwritten signature in black ink, appearing to read 'Thomas Elcock', written over a horizontal line.

Thomas M. Elcock